

**CITY COUNCIL MEETING**  
**July 28, 2022 at 8:30 a.m.**

**CITY COUNCIL OF THE CITY OF ABILENE, TEXAS**  
**COUNCIL CHAMBERS, CITY HALL**

The City Council of the City of Abilene, Texas met in Regular Session on July 28, 2022, at 8:30 a.m. in the Council Chambers, 555 Walnut St. Mayor Anthony Williams was present and presiding, along with Mayor Pro-tem Weldon Hurt, Deputy Mayor Pro-tem Donna Albus, and Councilmembers Shane Price, Lynn Beard, Kyle McAlister and Travis Craver. Also present were City Manager Robert Hanna, City Attorney Stanley Smith, and City Secretary Shawna Atkinson.

Councilmember Travis Craver delivered the invocation, and led the Pledge of Allegiance to the Flag of the United States of America and State of Texas Flag.

**PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS, ANNOUNCEMENTS**

- Proclamations:
  - Water Quality Month – accepted by Max Johnson, Director of Public Works and Public Works staff.

**PRESENTATION OF CONSENT AGENDA**

The Consent Agenda consisted of items 3-23. Items 5 and 10 were pulled for individual consideration.

Item pulled for individual consideration were as follows:

- Mayor Pro-tem Hurt – Item #5
- Councilmember Beard – Item #10

**PUBLIC COMMENTS**

Mayor Williams opened the public comment period. The following addressed the city council:

- David Swart – spoke about item 5 and stated that there is a great management team already in place at the convention center, so he would like to know the reason why a company would need to come in to manage it. Mr. Swart also spoke about item #8 and stated that Bontke Brothers also bid on the walkway at Cedar Creek project, when they were the low bidder but were not selected. He also spoke about the water damage at the new police department and the bond election regarding Fire Station 9. He asked council and staff to not build too small if the fire station is approved.
- Ryan Goodwin – appreciated item 17 at the last meeting and how Planning and Zoning handled the item, as it was a great use for the area. Mr. Goodwin liked how flexible the owner of the property was willing to be for the neighborhood.
- Samuel Garcia – recognized the Water Department and stated it is the most vital department for every citizen. Mr. Garcia also wanted to thank the Librarians for all of their hard work in promoting good educational pieces for the community. He also spoke about the demolition of the old Abilene Reporter News building and that he does not understand why that is happening.

With no other speakers coming forward, the public comment period was closed.

**CONSENT AGENDA**

Mayor Pro-tem Hurt moved to approve the consent agenda, now consisting of items 3-4, 6-9 and 11-23. Deputy Mayor Pro-tem Albus seconded the motion. Motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus, and Councilmembers Price, Beard, McAlister, and Craver

NAYS (0): None

3. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on July 14, 2022
4. Resolution: Receive a Report, Hold a Discussion and Take Action on Appointing Members to Various Boards and Commissions per the City Charter  
**[ASSIGNED RESOLUTION NO. 112-2022]**

Board	Term End Date
<i>Betty Hardwick Center Board of Trustees</i>	
Priscilla Rayford [Reappointment]	August 2024
<i>Senior Citizens Advisory Board</i>	
Monroe Nevells [Reappointment]	May 2024
Robin Calloway Walls [New]	May 2024

6. Resolution: Receive a Report, Hold a Discussion, and Take Action on the Approval of FY 2022/2023 One-Year Action Plan for CDBG and HOME Programs  
**[ASSIGNED RESOLUTION NO. 114-2022]**
7. Resolution: Receive a Report, Hold a Discussion and Take action on Approving the Purchase of New Furniture for Phase One of the First Floor Remodel  
**[ASSIGNED RESOLUTION NO. 115-2022]**
8. Resolution: Receive a Report, Hold a Discussion and Take Action on Approval for the City Manager to enter into a contract with Bontke Brothers Construction, Inc. for the replacement and repair of bridges at Maxwell Municipal Golf Course  
**[ASSIGNED RESOLUTION NO. 116-2022]**
9. Resolution: Receive a Report, Hold a Discussion and Take Action to Award a Contract to The Goodman Corporation for Architectural/Engineering Services for a New Multimodal Transit Facility **[ASSIGNED RESOLUTION NO. 117-2022]**
11. Resolution: Receive a Report, Hold a Discussion and Take Action on authorizing a contract for the Cleaning and Inspection of the West Sewer Interceptor  
**[ASSIGNED RESOLUTION NO. 119-2022]**
12. Resolution: Receive a Report, Hold a Discussion and Take Action Authorizing the City Manager to enter into an Advanced Funding Agreement with Texas Department of Transportation for the N 10th Street Highway Safety Improvement Program Project  
**[ASSIGNED RESOLUTION NO. 120-2022]**
13. Resolution: Receive a Report, Hold a Discussion and Take Action Authorizing the City Manager to enter into an Advanced Funding Agreement with Texas Department of Transportation for the Rebecca Lane Highway Safety Improvement Program Project  
**[ASSIGNED RESOLUTION NO. 121-2022]**
14. Resolution: Receive a Report, Hold a Discussion and Take Action Authorizing the City Manager to enter into an Advanced Funding Agreement with Texas Department of Transportation for the S 14th Street Flashing Yellow Arrow Highway Safety Improvement Program Project

**[ASSIGNED RESOLUTION NO. 122-2022]**

15. Resolution: Receive a Report, Hold a Discussion and Take Action Authorizing the City Manager to enter into an Advanced Funding Agreement with Texas Department of Transportation for the S 14th Street Interconnected System Highway Safety Improvement Program Project  
**[ASSIGNED RESOLUTION NO. 123-2022]**
16. Resolution: Receive a Report, Hold a Discussion and Take Action to Approve an Extended Term Street Use License with TTY Holdings, LLC  
**[ASSIGNED RESOLUTION NO. 124-2022]**
17. Ordinance (First Reading): Receive a Report, Hold a Discussion and Take Action on Amending Chapter 18, "Motor Vehicles and Traffic," Article XIII, "Schedules," Section 18-286, Decreased Speed Limits - School Zones," of the Abilene Municipal Code, By Amending Two (2) School Zones near Bassetti Elementary and Wylie Early Childhood Center; Adding Two (2) Existing Zones on Beltway South (FM 707); and Adding a New School Zone on Oldham Ln (FM 1750)
18. Ordinance (First Reading) Z-2022-14: Receive a Report, Hold a Discussion and Take Action on A Request From Weatherbee Construction Represented By Jacob & Martin To Amend The Terms And Conditions Of Planned Development District Number 104 Specifically Rezone approximate 14.34 acres currently Residential Medium Density to create and add tract 6 of Planned Development District (PD- 104) and modifying PD-104 to add and allow 50' wide residential lots as a permitted use within all tracts, save and except, Lot 1, Block A (MF), Trails of Abilene Addition
19. Ordinance (First Reading) Z-2022-16: Receive a Report, Hold a Discussion and Take Action on A Request From Arete Interests, LLC Represented By Jacob & Martin To Amend The Terms And Conditions Of Planned Development District Number 159A Specifically To Amend The Concept Plan To Allow For More Residential Uses. Legal Description Being Lots 101-109, Block A, Parramore's Subdivision, Abilene In Taylor County, Texas.
20. Ordinance (First Reading) Z-2022-17: Receive a Report, Hold a Discussion and Take Action on A Request From Grace Tabernacle Church Represented By Nancy Brown And Gene Dezell To Change Zoning From Residential Single Family (RS-6) To Neighborhood Retail (NR), On Approximately .62 Acres In South Abilene, Legal Description Being Lots 5-8, Block 15, Campus Addition, Abilene, Taylor County, Texas
21. Ordinance (First Reading) CUP-2022-06: Receive a Report, Hold a Discussion and Take Action on A Request From Patrick Batten Represented By Rylie Batten For Approval Of A Conditional Use Permit Allowing A Group Home (A.K.A. Halfway House) On Approximately .16 Acres Of Residential Medium Density (MD) District at 1242 Orange St In North Abilene, Legal Description Being Lot 12 In Block F Of Steffens & Lowden, Abilene, Taylor County, Texas
22. Ordinance (First Reading) Z-2022-15: Receive a Report, Hold a Discussion and Take Action on A Request From Cimarron Meadows Development Corp. Represented By Jacob & Martin To Amend The Terms And Conditions Of Planned Development District Number 170 Specifically To Add Approximately 37 Acres Of Existing Residential Medium Density (MD) And Approximately 15 Acres Of Agricultural Open Space (AA) Zoning And Amending Them To Allow For 5,000 Square Foot Lots With 5 Foot Side Setbacks And 50 X 100 Foot Lot Dimensions
23. Ordinance (First Reading) Z-2022-18: Receive a Report, Hold a Discussion, and Take Action on A Request From Sugar Agua #1 Ltd Represented By Matthew Muzechenko To Change Zoning On

Approximately 7.15 Acres In Southwest Abilene From Agricultural Open (AO) To General Commercial (GC).

### ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

5. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to Enter into a Management Agreement between ASM Global and the City of Abilene for Management Services for the Abilene Convention Center  
[ASSIGNED RESOLUTION NO. 113-2022]

Adoption of the item would approve a management agreement with ASM Global for the management of the Abilene Convention Center.

Having pulled the item, Mayor Pro-tem Hurt asked for clarification on what happens to City staff after this goes into affect, as well as the fee schedule that's being approved with the budget. Mr. Hanna clarified that employees will start a transition period over to ASM after approval. They will be offered a position with the City, should they choose. Mindy Patterson, Deputy City Manager, also clarified that fees are set by ASM but approved by Council in the budget process, and that we will honor every contract already signed.

Mayor Williams opened the public hearing. The following addressed the city council:

- Samuel Garcia – questioned how the new management team will handle the reoccurring and well known events, and if those bookings will be held for them.
- Pam Sitzes – stated her questions had already been answered. Stated the Abilene Convention and Visitors Bureau is not here to voice in opposition or for approval, but they work very well with the current staff and they have always been taken care of.
- Ryan Goodwin – questioned if the new management company will keep the same prices and fees or if they will change.

Councilmember Price moved to approve the item as presented, with the updated version of the management agreement. Mayor Pro-tem Hurt seconded the motion. Motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus, and Councilmembers Price, Beard, McAlister, and Craver

NAYS (0): None

10. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to Enter into a Memorandum of Understanding between All Kind Animal Initiative and the City of Abilene for the Development of a Pet Adoption and Resource Center on City Property  
[ASSIGNED RESOLUTION NO. 118-2022]

Adoption of this item would approve a memorandum of understanding with All Kind Animal Initiative for the Development of a Pet Adoption and Resource Center (PARC) on City property.

Having pulled the item, Councilmember Beard asked for clarification on the MOU's public/private partnership so everyone can understand what is happening. Mr. Hanna spoke about the partnership and the proposed facility.

Mayor Williams opened the public hearing. With no speakers coming forward, the public hearing was closed.

Councilmember Craver moved to approve the item as presented. Councilmember Beard seconded the motion. Motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus, and Councilmembers Price, Beard, McAlister, and Craver  
NAYS (0): None

### REGULAR AGENDA

24. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending Chapter 18, "Motor Vehicles and Traffic," Article XIII, "Schedules," Section 18-286, Decreased Speed Limits - School Zones," of the Abilene Municipal Code, By Amending School Zone near Dyess Elementary and Updating AISD school names  
**[ASSIGNED ORDINANCE NO. 30-2022]**

Max Johnson, Director of Public Works, presented the item. Adoption of the item would amend Chapter 18 of the code to amend the school zone near Dyess Elementary and update several AISD school names.

Mayor Williams opened the public hearing. With no speakers coming forward, the public hearing was closed.

Councilmember Price moved to approve the item with the correct street name. Councilmember McAlister seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus, and Councilmembers Price, Beard, McAlister, and Craver  
NAYS (0): None

27. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Development Corporation of Abilene's Economic Development Plan  
**[ASSIGNED RESOLUTION NO. 127-2022]**

Misty Mayo, CEO of the Development Corporation of Abilene, presented the item. Adoption of the item would approve the Development Corporation of Abilene's Economic Development Plan. Ms. Mayo went over the accomplishments of the DCOA for the past year and the details of their economic development plan.

Mayor Williams opened the public hearing. The following addressed the City Council:

- David Swart – stated he did not see anything about the budget and questioned why. Mr. Swart also questioned where the DCOA staff salaries are being paid from.

With no other speakers coming forward, the public hearing was closed.

Councilmember Beard moved to approve the item as presented. Councilmember Craver seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus, and Councilmembers Price, Beard, McAlister, and Craver  
NAYS (0): None

25. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Amended 2021-2022 Fiscal Year Budget for the Development Corporation of Abilene  
[ASSIGNED RESOLUTION NO. 125-2022]

Misty Mayo, CEO of the Development Corporation of Abilene, presented the item. Adoption of the item would amend the 2021-2022 fiscal year budget for the Development Corporation of Abilene.

Mayor Williams opened the public hearing. The following addressed the City Council:

- David Swart – stated that it was not mentioned where the new Amazon and cheese factory were located and he would like to know. He suggested a car parts distributor or ammo plant for their next projects.

With no other speakers coming forward, the public hearing was closed.

Councilmember McAlister moved to approve the item as presented. Mayor Pro-tem Hurt seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus, and Councilmembers Price, Beard, McAlister, and Craver

NAYS (0): None

26. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Fiscal Year 2023 Budget for the Development Corporation of Abilene  
[ASSIGNED RESOLUTION NO. 126-2022]

Misty Mayo, CEO of the Development Corporation of Abilene, presented the item. Adoption of the item would approve the fiscal year 2023 budget for the Development Corporation of Abilene.

Mayor Williams opened the public hearing. The following addressed the City Council:

- David Swart – questioned if Amazon will ever pay rent in the new facility they are in. Mr. Swart also stated that he thinks Abilene needs something more common for the average person to get a job.
- Ryan Goodwin – asked if citizens could get a print out of the presentation in the future.

With no other speakers coming forward, the public hearing was closed.

Councilmember Price moved to approve the item as presented. Councilmember Beard seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus, and Councilmembers Price, Beard, McAlister, and Craver

NAYS (0): None

Items 28, 29, 30 & 31 were not considered at this time. They were completed during the budget workshop on 7/27.

#### EXECUTIVE SESSION

Mayor Williams recessed into Executive Session at 9:50 a.m., pursuant to the following of the Open Meetings Act, with the following issues discussed during this session, as listed on the agenda and authorized by the noted Texas Government Code Section:

32. D. 551.071 (Consultation with Attorney)

1. Request for extended line of duty illness or injury leave of absence

The Executive Session ended at 10:06 a.m. and reconvened to Open Session. Mayor Williams reported no votes or action were taken in Executive Session.

**REGULAR AGENDA**

19. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Possible Action on a Request for Extended Line of Duty Illness or Injury Leave of Absence Made By Police Officer [ASSIGNED RESOLUTION NO. 128-2022]

Earlier in the meeting, under Section 551.071 (Consultation with Attorney) of the Open Meetings Act, the item was discussed during the Executive Session, which started at 9:50 a.m., and ended at 9:59 a.m. No votes or actions were taken at that time.

Zach Horn with Lion Gorskey and Gillford, attorney for Mary Guitar, spoke on Ms. Guitar's behalf. Mr. Horn asked that Officer Guitar's leave of absence be extended by four months with pay and gave the reasoning behind this request. Marcus Dudley, Chief of Police, presented the timeline of events that led up to this request and asked that Council deny Officer Guitar's request.


Mayor Williams opened the public hearing. With no speakers coming forward, the public hearing was closed.


Mayor Williams moved to approve Officer Guitar's extended leave of absence by four months at full pay. Deputy Mayor Pro-tem Albus seconded the motion; motion carried.

AYES (4): Mayor Williams, Deputy Mayor Pro-tem Albus, and Councilmembers Price and Craver  
NAYS (3): Mayor Pro-tem Hurt, Councilmember Beard and McAlister

**ADJOURNMENT**

There being no further business, the meeting adjourned at 10:41 a.m.

  
Shawna Atkinson  
City Secretary

  
Anthony Williams  
Mayor

Minutes approved on: August 11, 2022